

On Sunday, May 6, sadly, sweet Cooper passed away. Cooper is survived by his parents, Tara and Steve; his brother, Cole; and his sister, Hope.

In Cooper's last month, he received a surprise total bedroom makeover, he threw out the first pitch for the Rumble Ponies, and he dropped the puck for the Binghamton Devils.

Volunteers organized fundraisers, sent in meals for the Busch family, and sold Super Cooper t-shirts. A local artist even wrote and illustrated a special book called, "Super Cooper Saves the Day."

Our condolences are with the entire Busch family during this very difficult time. Cooper's enduring spirit and bravery are an inspiration to all of us. Super Cooper's smile, lovable personality, and his zeal to live each day to the fullest, no matter how challenging, no matter how much time we may be allotted on this very dear Earth, will be his eternal legacy to all of us.

May Super Cooper rest in peace.

LEGISLATION AS A REFLECTION OF MORALITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2017, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it is my privilege to address you here on the floor of the United States House of Representatives and to take up any of the topics that are already in order here, which is most every topic delivered in a decent fashion.

But I have some things to talk about here tonight that are a bit celebratory, things that I am pretty happy about. I want to discuss, Mr. Speaker, the narrative of a significant accomplishment that I think, in the end, will save the lives of perhaps millions of innocent unborn babies in this country.

The history of *Roe v. Wade* goes back to January 22, 1973, when the United States Supreme Court came down with a decision. Coupled were two cases the same day, *Roe v. Wade* and *Doe v. Bolton*, and those two cases that were delivered launched abortion on demand in America. It was a stunning set of decisions, the scope of which, the magnitude of which, could not have been comprehended at that time.

I remember then, when they came down. We had no children yet at that point. Marilyn and I were married, but at that age in life and not having any experience with the impact of such a decision—America didn't have that experience—the way we analyzed that thing, didn't understand how severe this would be.

Yet, once the decision came down, there is something that I have learned, Mr. Speaker, and that is that people say: You can't legislate morality.

I have always thought that was a pretty weak statement and not very defensible, but you hear it quite often: You can't legislate morality. You can't legislate morality.

Well, legislation is a reflection of morality. For example, we have laws against murder and rape and assault and battery and armed robbery, and the list goes on and on of the things that are prohibited. They are the reflections of the morality of a nation.

The lack of such legislation would indicate only one of two things: either it is the lack of morality, or it is a nation that doesn't need laws to frame it because the morality of the nation is so enshrined in the culture that there doesn't need to be laws.

For example, one of those examples would be that, for centuries, marriage was between a man and a woman. We didn't need laws that said so because everybody knew that marriage defined a union between a man and a woman—in my case, joined together in holy matrimony.

So as the legislation came forward—and I was in the Iowa Senate at the time—I remember some of that debate and discussion, and it was: Why do we need to pass this law to defend marriage, the Defense of Marriage Act?

I helped write part of that language, Mr. Speaker, and I had a little bit of a hard time explaining why it was important that we move it, more or less, an insurance policy so that we could protect marriage in Iowa against the movement that had just begun not very much earlier than that by litigation out in Hawaii. And then the conflation between civil unions and marriage.

But the reflection of the values of marriage were in our culture so deeply that senator after senator stood on the floor and said: Why do we need to do this? This is a redundant exercise. It is a waste of our time. Everybody knows that marriage is between a man and a woman.

And we passed the Defense of Marriage Act. There were only about three or four who voted against it. We wondered why they did that. They were out there in the fringes, so we thought, at the time. That was about 1998.

□ 1730

By 2009—and that would only be 11 years later—the Iowa Supreme Court came down with the decision *Varnum v. Brien*, which imposed same-sex marriage on Iowa, the transformation of a culture that needed a law to protect marriage, if we were to protect it. But once, for thousands of years—I will say at least for thousands of years—marriage was between a man and a woman, and it changed.

When something became permissive, then the permissiveness of it changed the morality of the situation. That is not a very good description, Mr. Speaker, of what happened with the abortion circumstances in America. We understood then that life begins at the moment of conception. But when *Roe v. Wade* came down with the decision that prohibited the States from regulating abortion and prohibiting abortion, then it became permissible and permissive,

and it became pervasive at the same time.

Some of our peak incidents of abortion, from 1973 until the latter part of that decade, got up to 1.6 million abortions a year. And, today, after 45 years of *Roe v. Wade*, this Nation has seen 60 million—some say 61 million—babies aborted. Babies who would be growing up in our society today: going to school; playing ball; studying; going to church; loving their brothers and sisters, their mothers, their fathers, their grandparents, their aunts, their uncles. They are gone: 60 million little babies gone.

And not only 60 million—there is no way to actually describe 60 million babies as only—but, in addition, there are another roughly 60 million who were not born because their mothers were aborted. A population between 100 and 120 million Americans are missing today because of *Roe v. Wade's* decision—*Roe v. Wade* and *Doe v. Bolton*—an unsoundly and unjustly decision that came down from the United States Supreme Court.

One of the problems we have in this country is we have three branches of government. A lot of government teachers and constitutional teachers instruct that it is three coequal branches of government, but that is not what our Founding Fathers expected. They defined it, instead, that the judicial branch of government would be the weakest of the three branches of government.

Yet our society, our culture, our civilization gives such reverence to the United States Supreme Court that they can't even get their minds around the idea of: What do you do if the Court comes down with an atrocious, outrageous, erroneous, nonconstitutional decision that visits 60 million deaths of innocent babies on our country and another 60 million babies who are not born because of a result of it? A missing 100 to 120 million babies—a decision of the Supreme Court.

And what do we do?

We accept the decision as if the decisions of the Supreme Court are utterly sacrosanct, and the only way they can ever change is if the circumstances of that Court should change in such a way that the appointments and the confirmations to the Court could transform and reverse the erroneous decisions in the past.

Now, there are circumstances where the Supreme Court has reversed their own decision. We had the *Dred Scott* decision that actually wasn't reversed. That was a decision on slavery. Some say that that was an erroneous, poorly found decision.

I think I side with Abraham Lincoln that it was constitutional at its time. It probably was a decision that conformed to the Constitution, however morally wrong it was.

Then along came the 13th, the 14th, and the 15th Amendments that rectified the situation that was put upon us by *Dred Scott*. And, by the way,

600,000 lives lost in the Civil War, putting an end to slavery and resolving the Union.

Was the Union going to be something that one could separate from, or once you are part of the Union are you always part of the Union?

And, as this turned out, 600,000 Americans were killed in the Civil War, putting an end to slavery—600,000. It sounds like a lot until you compare it to 60 million babies aborted, Mr. Speaker.

This is the worst atrocity ever—accumulated effect of it—the worst atrocity ever committed on American soil, and it was sanctified by the Supreme Court in an unsoundly founded decision.

Now, the thing that obstructs us from getting pro-life legislation passed is a few people who profess that they are pro-life—a pro-life organization. They say: Well, we have to respect the Supreme Court decision that it is sacrosanct.

The Supreme Court laid out the parameters of viability not only in *Roe v. Wade* and *Doe v. Bolton*, but also in *Planned Parenthood v. Casey* in 1992: this viability concept, which is that if a baby can't survive outside of the womb, it is really not a life. Well, we know better than that because we can hear their hearts beat, we can watch them move around inside of the womb, we can watch them squirm, we can watch them suck their thumb, and we can watch them move their lips like they are trying to talk.

We bond with these babies now through ultrasound. The ultrasound is just about as good as Skype with our children and grandchildren who are out here breathing this free air. Those are the circumstances that have changed. We know that it is life.

The Supreme Court's decision wasn't soundly found. They weren't looking at an ultrasound then, back 45 years ago. We didn't know whether we had twins, or singles, or triplets, or quadruplets then because we didn't have enough ability to even listen to the heartbeat precisely enough. Today, we can, Mr. Speaker.

Today, we are listening to heartbeats, and, today, we are watching babies squirm, and move, and suck their thumb, and move their mouth like they are trying to talk, and get their exercise inside of the womb. Now we know. We can't deny. It is not a blob of tissue, it is not some kind of an intruder. This is a unique DNA, innocent, unborn human life.

We brought legislation here to this Congress called the Heartbeat legislation, H.R. 490. In this legislation, it says that before an abortionist sets about committing an abortion, he must first check for a heartbeat with transabdominal ultrasound, which picks up a heartbeat between 7 and 8 weeks from fertilization or conception. He must first check for a heartbeat. If a heartbeat is detected, the baby is protected.

This rings not only in our hearts, but it rings true in our conscience. We

know that where there is a heartbeat, there is life. And we know that if you go in and surgically, or by any other method, snuff out that heartbeat, you are snuffing out life, the most innocent among us.

Father Jonathan Morris, a priest from New York whom we see on FOX News in the morning, one day was commenting. He was commenting about how the ladies and the mothers in the church, when their babies start to cry too loud, they get up and hustle them out of the church, and he said: Why would you do that?

Those are the only innocent voices in that church. Well, the most innocent are in the womb, and the most innocent have been victimized by this idea of convenience, or women's rights, or that it is not somebody else's business to tell someone else what to do with their body.

Well, it isn't about their body, Mr. Speaker. It is about that unique being, with that unique combination of DNA. That is how precious this is. We never know the potential of a baby, an innocent unborn baby.

There was a story in the news a couple of days ago. Now, there are those who would predict that inside the womb you can identify Down syndrome, you can identify other afflictions; and those other afflictions, they might argue, make that baby less than perfect. But those babies, when they are loved, are perfect for those who love them.

We can't decide with a level of certainty, regardless, when they are in the womb. If there is a heartbeat there, that is an innocent life that is deserving of protection. If we would not end that life of that baby outside of the womb, we would not, and should not, end it inside the womb. So if a heartbeat is detected, the baby is protected.

H.R. 490 has 171 cosponsors here in the House of Representatives. It has come further and faster than any significant piece of pro-life legislation, I believe, since 1973 in *Roe v. Wade* in the first place.

We need to get this bill to the floor of this House and send it over and put it on MITCH MCCONNELL's desk. There is hardly any room left on MITCH MCCONNELL's desk these days. That number must be up to 500 or so bills sitting on his desk. But we can put Heartbeat there on top of MITCH MCCONNELL's desk.

When you do that, that is the highest priority. Whatever it is on top of the desk is the highest priority. And we can say to MITCH: Bring this thing out to the floor of the Senate and send Heartbeat up to the President's desk.

If you can't do that, send the President to the States where the Democrats who will vote "no" on it are running for office. Remind them that America is now a pro-life nation, and this pro-life nation wants to pass pro-life legislation.

If they can't do it with the Senators who are seated over there now, they

can do it with the Senators who can be seated over there next January. I believe that the conscience of America will be reflected if we send that over and put the bill on MITCH MCCONNELL's desk.

Here is the polling that we have also. There are some people who worry about public opinion. They should know their conscience and act off of their conscience. But off of public opinion, it works this way: the Heartbeat bill, H.R. 490. We have a Barna poll that was conducted, actually, February of last year.

It says that 86 percent of Republicans support the Heartbeat bill without exceptions, 61 percent of Independents support it without exceptions, and 55 percent of Democrats support the Heartbeat bill without exceptions. That is an astonishing thing to see that we have a majority of Democrats. I would call that a landslide if I won by 55 percent or more. This is a poll of a landslide among Democrats where we do have a Democrat or two or three who will vote for this bill. But, for the most part, that has been polarized here also.

We used to have at least 60 different pro-life Democrats who would come in and vote on pro-life legislation. Now I count maybe three. I hope that number is more. I regret that the parties have gotten this polarized, but some of this stuff happened when they had to walk the plank to vote for ObamaCare, and the people who replaced them were conservative Republicans. That is one of the reasons why we have so many cosponsors here on the Republican side—171 cosponsors here—and 162 national organizations or leaders have signed on.

I notice that Reverend Franklin Graham sent out a tweet in support of Heartbeat legislation here a couple of weeks ago. I am a great admirer and respector of Reverend Graham, and I believe that his moral barometer matches that of any moral.

The support for this bill has come along well.

I will circle back to the resistance that we have that we need to overcome yet, Mr. Speaker.

While we reached a plateau on the Heartbeat bill, it became apparent to me that having one line in the water—however good that line is in the water here in the House of Representatives behind H.R. 490—it was also important to get some other lines in the water. The one thing that I could do was to take the Heartbeat bill and offer it up to the Iowa Legislature.

I had a conversation with State Senator Brad Zaun. He had a shot and would have made a good Congressman, but he is chairman of the Judiciary Committee in the Iowa Senate today. I had that conversation with him and had a conversation with Senator Jason Schultz. They took the Heartbeat legislation and brought that into the Iowa Senate.

The draft of that legislation was adapted to a bit of a degree to conform

to the State legislature. They worked that bill around through their caucus a little bit. The chairman of the Judiciary Committee there, Senator Brad Zaun, said: I am bringing this bill through committee. He was keeping me up to speed with what was going on.

That was an intense hearing before the committee. I am just going to speak on what I hear back channel—not that I was in the room. There were some people who wanted to stage a protest against the Heartbeat bill. So the chairman of the Judiciary Committee looked at them before he gavelled in the committee and said: If anybody has come here to protest, raise your hand, and I will throw you out now. I liked his approach. There was no need to throw anybody out because they actually behaved.

So there was a quiet, but an intense, hearing and markup before the Iowa Senate Judiciary Committee, and the Republicans all voted for the Heartbeat bill. Then here it sits on the calendar of the floor of the Iowa Senate.

Now the next big milestone needed to be reached, and that is that the majority leader, Bill Dix, brought the topic up before the caucus. That is closed door, so I am only speculating on what I picked up also back channel, Mr. Speaker. But he said to the 29 Republicans seated there in the caucus: Is there anybody here who doesn't want to vote for this Heartbeat bill? No one raised their hand, so the decision was made: We will bring it to the floor.

Well, it had been assigned to the chair of the subcommittee for the bill, who was Amy Sinclair. Amy Sinclair put together the subcommittee effort and prepared herself for an intense debate. It was expected to be an intense debate. I pointed out to her that my first debate on the floor of the Iowa Senate took me 7½ hours before I got my bill passed.

□ 1745

It was official English, by the way. It was a long, hard slog, to quote Rumsfeld.

Hers was entirely different. I thought there would be 6, 7, 8, 10 hours of debate. She brought the bill up, made eloquent opening remarks, rebutted a few of the remarks that were made on the other side, and 24 minutes later, the vote went up on the board, 30–20.

An independent voted also—and his name is David Johnson—for the heartbeat bill in the Iowa Senate, along with all 29 Republican senators, 30–20 on 24 minutes of debate.

And it rocketed over to the house of representatives, and, once again, I had the misconception of thinking to myself, this is going to be easy, but, like a lot of things in life, it isn't that easy.

So, as we began to see how the bill was going to move, if it moved at all, in the Iowa House, what I learned was that they didn't think they could move it, they didn't think they had the votes. The first whip check card that we worked on there—we needed 51

votes. There were 100 in the Iowa House. Of the 51 votes we needed, we only had 35. So a bunch of us went to work.

By the way, one of the people at the top of my list to thank here in this CONGRESSIONAL RECORD tonight, Mr. Speaker, is the Iowa representative of National Right to Life—who is not supporting this bill at the national level, and they need to lead, follow, or get out of the way. But their Iowa representative, his name is Scott Valencia, and he is of Iowa Right to Life. He was magnificent in the work that he did and the strategy that unfolded and in the network that he had put together with the pro-life community within Iowa.

I could always count on Scott being at the center, the nexus, of the communications on who was thinking what, who was saying what, and helping to inform us in the spreadsheet we put together to whip the votes.

Also on that list would be, from The Family Leader, Bob Vander Plaats, whom I have campaigned a lot with. We worked together to vote three supreme court justices off the Iowa bench. He and his team at The Family Leader, including Chuck Hurley, a longtime friend, and Danny Carroll, a former representative, were stellar in their efforts in focusing on how we would pull the votes together in the Iowa House.

There were 32 organizations in the Iowa pro-life coalition. Those are the organizations that I referenced, Scott Valencia, that put his finger on that pulse, but many of these people are people I worked with for years, that go back 20 or more years on this issue, and I am so proud of the work they did.

Our former majority leader here in the United States House of Representatives, Tom DeLay, made the trip up to Iowa to testify in favor of the heartbeat bill before a hearing in the Iowa House of Representatives, along with Dr. Kathy Altman, who was a witness for us here in Congress as well, Mr. Speaker.

So I am very, very grateful to all of these folks and many more, but the jobs that they did helped move this thing in the right direction. The hearing was intense, and there was strong testimony on both sides, but the voice for the unborn, the voice for the most innocent prevailed in that hearing. And it gave more confidence to some of the people that were reluctant to vote in favor of the bill on that night.

One of those people, I suspect—and I suspect only—would be Dave Heaton, who I count as a good friend. I have always enjoyed him and had a certain affection for the affable gentleman who has so many prime ribs down there in his restaurant in southeast Iowa, but when he voted “yes” coming out of committee, he said, “Yes for now,” and I thought maybe that was the end of it. But it turned out that we needed 51 votes. We wouldn't have had them if it hadn't been for the vote of Dave

Heaton as he retires. God bless Dave. I appreciate his vote.

I appreciate the vote and the work of so many there in the house, including Speaker Upmeyer, who is a second-generation speaker of the house of representatives, who has earned her place there and has become a very stable and a master strategist on how to move legislation through the legislature, along with Majority Leader Chris Hagenow, who was fully behind the heartbeat bill from the beginning and, I think, kept a low profile publicly but did a lot behind the scenes.

Then another individual whose character I know well, and that is the Speaker Pro Tem Matt Windschitl, who has been part of this strategy all along, a very, very steady hand, a very, very clear strategist, somebody you want to ride the river with. He does come from over there in the river bottom, not very far from me.

I appreciate the strategy and the work that each of these individuals did, but this doesn't stop at this point either, Mr. Speaker.

The chairman of the Human Resources Committee, Joel Fry, did master work on it, as well as the floor manager in the Iowa House, Shannon Lundgren. Shannon, I believe, is in her first term, and I haven't gotten to know her personally, but here is the narrative that I get from the way she managed that debate in the house. It was a lot longer in the house. It went on for hours, 5 to 7 hours, something like that, perhaps more. The bill passed around 11:30 that night.

Shannon, when she had brought the bill up there, this was the critique that came to me, is that she started out slow, and you might start to wonder if she was going to be able to hold her own through that very, very grueling trial that had been assigned to her that she was, I think, eager and proud to take on, and she should be proud, because she got stronger as the night wore on.

So did a number of the other members of the Iowa House. They stepped up to defend their positions and to advocate their narratives. One of them would be Steve Holt. He and also Sandy Salmon, who had introduced her own bill, her own pro-life legislation, they were strong and many others were strong in the way they handled their debate.

I didn't put together a complete, analyzed list here, Mr. Speaker, because, for one thing, I just didn't have the time, but I recognize the risk in naming names. There definitely are people that I have left out. There will be others that I will try to thread in here, but there will always be people that are left out.

Some of them in the middle of this, though, were Jack Whitver, who is the leader in the Iowa Senate. I mentioned Amy Sinclair, the chair of the subcommittee and the floor manager in the senate. Senator Brad Zaun, whom I have talked with a lot and grown to admire, and I appreciate his drive. He

doesn't hesitate, he doesn't equivocate, he knows what he believes, and he strategizes and acts upon it. And Senator Jason Schultz, whom I first brought up this topic with.

I want to thank every representative and every senator who spoke and who voted for the heartbeat bill in the Iowa legislature. It was a phenomenal accomplishment.

Last year, they passed a 20-week, called sometimes the pain-capable bill. Many thought that would be the end of the effort on pro-life for a while, and they came back this year and passed heartbeat legislation.

Not only was it the work, not only was it the debate, not only was it the negotiations and the votes that were counted and the effort on the whip team from those elected members who worked inside the house of representatives and the senate, but also the outside groups, the 32 outside organizations and then some, that came together. It was a phenomenal, phenomenal effort that brought this together.

I wanted to say also a couple of words about how difficult this was for some of the most pro-life people that we had. I am not one who believes in exceptions. I don't believe that a baby that is a product of a rape should be executed for the crime of their father. Neither do I believe that that should be the case for a baby who is a product of incest, which might be the crime of the father and it might be the crime of the father and the mother. Those babies are innocent, and they should have every right to life of every other baby conceived at any other time under any other circumstances.

But it came to that place where there were either going to be exceptions or there was going to be no bill passed. I think there would have been a way we might have been able to resolve that, but by the time it came to that place on the calendar, that place on the clock, that place on the legislative clock, a decision had to be made: Are we going to bring a bill to the floor of the Iowa House with exceptions, or are we going to have no bill whatsoever? That was the decision. That was the crux of the matter.

Coming to that place of decision, the right decision is: Let's save all the lives we can. Let's take all we can and get as much done as we can. If we could come back with heartbeat after the 20-week bill last year, maybe next year we can come back to eliminate the exceptions or perhaps even do personhood, which is the goal of the pro-life community. It should be that case worldwide.

So I know it was a very difficult decision for some. I happen to know that Skyler Wheeler may be the most pro-life member of the Iowa House of Representatives, and it was a very difficult decision for him, but with Skyler Wheeler, we got to 51. We have a bill that then was sent on its way to the Governor's desk.

Before I mention the Governor any further, I want to also mention some of the other help that we had. This promise on heartbeat legislation is rooted back to a request made by Phyllis Schlafly just days before she passed away that I would draft and introduce heartbeat legislation here in Congress. I followed through on that commitment.

She was, in a time of her life, a living, breathing icon, the clearest political thinker of our time, a pure constitutionalist, a strong, faithful Christian woman who left her mark and her imprint across this Nation in many, many ways. I have powerful respect for Phyllis Schlafly, for her life, for her contribution, for her judgment, and for the promise that I made on the day of her funeral.

I made that promise sitting in discussion and consultation with Janet Porter of Faith to Action, who has been the driving force on this, the launching force on this from the beginning. And Janet Porter now may be the most driven pro-life activist in America, and she has accomplished a lot to get this started. She teamed up with Tom DeLay, our former majority leader here. He made his fame as the whip, maybe the best whip that we have ever seen here in the House of Representatives. Both of them worked pro bono on this to move the votes and get cosponsors signed up here in Congress, which gave a lot of credibility to the heartbeat bill on its way to the Iowa legislature.

In addition, one of the push-backs that we got in the Iowa House was, "We don't want to spend taxpayers' money defending this legislation." It is something that they believe that—I mean, some of the folks would say: We will lose in court. So if you know you are going to lose, you can't spend taxpayers' money, knowing you are going to lose.

My response back to that was: We know we are going to lose at the lower court level. Anybody that argues that that is a reason not to move pro-life legislation, because we will lose at the district court level, we will lose at the circuit level, that is a given, because we have a strong precedent established by the United States Supreme Court in *Roe v. Wade*, *Doe v. Bolton*, and *Planned Parenthood v. Casey*. Of course the lower courts, respecting the Supreme Court, are not going to try to overturn a Supreme Court decision. We have to accept the idea that this will be litigated, it will go through the lower courts, and as it goes into the lower courts, we will lose at each turn until we get to the United States Supreme Court.

To give an example of how this worked in the past, on the ban on partial-birth abortion, which came to us about the end of the 1990s, as I recall, on the initial case, the ban on partial-birth abortion, that gruesome and ghastly procedure that is so, so awful, to describe it here on the floor of Con-

gress is more than I will do here tonight, Mr. Speaker, but Congress banned that procedure.

Having banned that procedure, it was litigated by—guess what—Planned Parenthood, the advocacy group for abortion itself, and the Supreme Court struck down our ban on partial-birth abortion. Of course, they have to use a rationale, so their rationale was that the act of a partial-birth abortion wasn't precisely enough defined, that it was vague, and if it was vague, then how would the abortionist know if he is committing a crime or not. I said: "You are killing a baby. That ought to be enough."

Instead, the Supreme Court ruled to strike down our ban on partial-birth abortion, but they wanted a more precise description of it. And they argued that Congress had not established that a partial-birth abortion is never medically necessary to save the life of the mother.

□ 1800

So I arrived in this Congress shortly after that decision. We went to work on this. The chairman of the Subcommittee on the Constitution and Civil Justice at that time, where I am the chair of the Subcommittee on the Constitution and Civil Justice today, was STEVE CHABOT of Cincinnati, a strong pro-life advocate, and we held hearing after hearing in the Constitution and Civil Justice Subcommittee.

By the way, the chairman of the full committee at that time was sitting here just a few minutes ago, Mr. JIM SENSENBRENNER.

So we established, through congressional hearings, and wrote a new ban on partial-birth abortion that precisely defined the act of a partial-birth abortion that we would prohibit by statute and congressional findings, after hearings, that it is never necessary to commit this heinous act in order to save the life of the mother.

With those congressional findings coupled with the precise definition, we passed the legislation and sent it out again, and it was litigated again by, let's see, Planned Parenthood—or that was Carhart. LeRoy Carhart was the abortionist out of Omaha who was the lead on that case, *Gonzales v. Carhart*, as I recall.

But in any case, that precise definition that we drafted and the congressional findings that it is never medically necessary to save the life of the mother were enough to get the same Court to reverse themselves and accept the conclusions that Congress had drawn because we had conformed to their request.

So there is a case where the Court came down on the side of striking down our ban on partial-birth abortion, and then we brought it back through the courts again and it was tried in three circuits simultaneously, and in every circuit we lost. But then the cases were packaged together and they went before the United States Supreme Court, and then we won on the side of life.

The Court reversed itself, but we lost at every lower court level. We only had a chance to succeed at the Supreme Court. And that is going to be the case with this legislation, as well, because it directly challenges *Roe v. Wade*, *Doe v. Bolton*, and *Planned Parenthood v. Casey*.

So it has to get to the Supreme Court. We are going to lose until we get there. When we get there, especially if we arrive in the Supreme Court with a new appointment to the Supreme Court, we are looking at, more likely now, under today's circumstances, the potential of a 5-4 Court, a Court that would be coming down on the side of the Constitution and the strict constructionism that protects life.

We are obligated to protect life under the 14th Amendment. So if Congress can define life, we define it as, if a heartbeat is detected, that is life, the baby is protected.

And the cost of defending this case isn't going to fall on the backs of Iowa taxpayers, Madam Speaker. Instead, we have two organizations that have volunteered to step up, pro bono, to defend this case before the courts, and those two organizations are—this is the message from Matt Staver of Liberty Counsel—Liberty University, many will know it as—and that has produced a pretty good chief of staff in my operation, Sarah Stevens.

Matt Staver has agreed to defend this, pro bono. That is Latin for “on the house.” And also Martin Cannon of St. Thomas More Society will have agreed that they will also defend it pro bono. So we will see how this comes together, but it doesn't put the taxpayers of Iowa at risk.

So it makes it not only the right decision for life, the right decision for law, the right decision for our Constitution and, in particular, our 14th Amendment, it makes it the right decision for the taxpayers.

When we look at the society we live in today, the last time we had unemployment numbers down as low as we are seeing now, I remember them bringing a bill into the State legislature that would require all of the health insurance policies in Iowa to cover contraceptives. One of the arguments they made was we can't be having women missing work because they are pregnant, having babies. We need the labor force too much.

Well, that didn't fit to my analysis at the time, which is why I remember it. Instead, we need babies that will go to work in 18 or 20 years, and we need to sustain ourselves and our society.

I tell young people constantly, good people need to have a lot of babies and raise them right. That fixes everything that can be fixed. If good people raise their babies right and have a lot of babies, there will be enough people here to do the work we need to do; and we will create the jobs for others, and we will see people picking up and carrying their share of the load, pulling the har-

ness instead of riding in the wagon. That is what saves this society.

But, in any case, here we are, Madam Speaker, with a bill that passed out of the Iowa House that night, on about Wednesday night of last week, at 11:30 at night—might have been Tuesday night, 11:30 at night. May 2 was, let's see. About 11:30 that night.

And the dedication of our Iowa senators was such that they said: Well, let's just take this up right away. Why don't you carry that across the rotunda and we will take it up on the floor of the Iowa Senate.

And they did. And after a fairly short debate, they passed it in the Iowa Senate.

Again, there were so many missing, but 29 to—let's see. I remember the lower number of it. But it passed easily out of the Iowa Senate, and it was messaged to the Governor that night, which would have been, I believe, May 2.

So by the time we got around to Friday, I found myself in South Carolina, at the invitation of the Governor of South Carolina, to talk about sanctuary cities, and we ended up doing a press conference also on Heartbeat, interesting conversation.

I think we enjoyed a friendship, and I expect that South Carolina actually had a Heartbeat bill in front of them that was—it would have been very hard for it to survive reaching the sine die part of their session because they were about done.

The same with the sanctuary city bill. We tried to do what we could with that, but anything that didn't pass down there I think comes up again next year, and they have got an extra boost to get that done.

I really appreciate the leadership provided by Governor Henry McMaster on the sanctuary cities and on Heartbeat, and we will make sure that we are supportive down there, as we have been in Iowa.

Also, Governor Ricketts of Nebraska has said: Send me a Heartbeat bill; I'll sign it.

I know that there are people in the Nebraska Unicameral that are preparing to bring Heartbeat in next year in Nebraska, and I know that it is also part of the Governor's debate in the race in Florida. So there are other States that are looking as well.

This could be something that spreads out across the countryside in State after State after State, Madam Speaker, but it would not have had this kind of momentum had it not been for Governor Reynolds, who had a bill signing ceremony on Friday afternoon at 3 in her formal office in the capitol and filled the office up with lots of young kids and good, steady, stalwart legislators who deserve a lot of credit and to take a bow for this.

I looked at the pictures of that bill signing ceremony, and it occurred to me that they probably saved as many lives just during the debate for Heartbeat as were represented by the children in Governor Reynolds' office.

I thank Governor Reynolds for signing the bill and putting it into law.

She had put out a statement a week or a little more earlier that said that she is proud to be part of the most pro-life administration in Iowa history. Well, she can now, with confidence and, hopefully, at least, an inner pride let us know that she has signed the bill, and it makes Governor Kim Reynolds the most pro-life Governor in the history of the State of Iowa.

This accomplishment came about because of the work done by people I have mentioned here and many, many more who worked on this, who prayed for this, who relentlessly pushed in the right direction to bring about a bill that could go to the Governor's desk.

Governor Reynolds had such a magnificent bill signing ceremony that sent such a strong message to the rest of the country; and that message to the rest of the country would be this, Madam Speaker: that Iowa, this purple State, this State that voted for Barack Obama twice—we also went for Donald Trump, I might add. But Iowa actually launched Barack Obama's campaign for the Presidency. He slipped in there from Illinois and got a big bounce in the first-in-the-Nation caucus, and off he went to the Presidency and to his reelection as well, with strong support out of Iowa. But he won Iowa each time.

So prior to President Trump winning in the 2016 election, the time before that that went Republican was George Bush's 2004 reelection. We worked that hard, and he won Iowa by only 10,000 votes.

The other time, the next time prior that Iowa had gone for a Republican President was Ronald Reagan's reelection in 1984. So that is how rare those Iowa victories are.

We are a purple State, but Iowa Republicans have put up excellent leadership, and excellent leadership has emerged from a coalesced Republican Party that has been very strong and has hammered out the planks in the platform over and over again. They ring with utter clarity to me when I read that platform these days, Madam Speaker.

So I put out this challenge to the States and the rest of the country: If purple State Iowa can pass Heartbeat and have the strongest pro-life legislation in the United States of America—of the 50 States, Iowa has the strongest pro-life legislation passed into law, signed by Governor Reynolds—then the challenge that is laid out there for the rest of the States is see what you can do. Take a look at Iowa's legislation. Move the cleanest you can. No exceptions is best because that baby's life begins at the moment of fertilization, and we need to protect innocent life from that point on.

But we can define the beginning of life medically by requiring an ultrasound, and that ultrasound, if it picks up a heartbeat, if a heartbeat is detected, the baby is protected. That

phrase rings in the conscience of Americans nationwide. That is why 86 percent of Republicans support Heartbeat, H.R. 490. That is why 61 percent of Independents, and that is why 55 percent of Democrats do.

And, by the way, that 55 percent of Democrats is why no Republican will lose their seat for voting for Heartbeat, because Democrats won't dare attack you for that. If they do so, they are going against their own base, their own people, who are 55 percent pro-life, even though I can only count about three over here among the Democrats who will be cosponsors of this legislation and, I think, that can define themselves as pro-life.

So I thank all of these individuals who have worked so hard to put this whole strategy together, and I spent some time speaking to the issue, Madam Speaker, because I want the people to understand that things don't come easy and good ideas don't just float to the top and sail off to be passed. It takes real work and real organization to get things accomplished, and determination and conviction and people who believe.

I look back at Dr. John Willke, who was the founder, the original founder of National Right to Life, and that is the oldest and the largest pro-life organization in the country. He said this: "When I founded the pro-life movement, it wasn't to regulate how abortions would be done. It was to bring the abortion killing to an end. We have waited too long, and that wait has cost us too much." That is Dr. John C. Willke, cofounder and former president of National Right to Life.

Now, in their mission statement, I am not sure if I have it here in my text, Madam Speaker, but I will get it as close as I need to from memory if I don't have it.

National Right to Life's mission statement says that they are dedicated to protecting human life from the beginning of life till natural death. The beginning of life raised a question with me, so I went through their website to find out how they define the beginning of life.

They define it on their website, National Right to Life, as from the moment of fertilization. Life begins at the moment of fertilization, according to National Right to Life, and ends at natural death.

I agree with that. I think their mission statement is correct. I think we need to defend life from the moment of fertilization until natural death, and I think National Right to Life should do the same thing.

But they believe that we should not challenge the Supreme Court. They believe that we have to accept *Roe v. Wade*, *Doe v. Bolton*, and *Planned Parenthood v. Casey*, and we have to accept the idea of viability that was framed within the *Casey* decision. That is why they have supported the 20-week bill, to get up there close to the edge of viability, this idea that a 24-week baby

can survive outside the womb, a 23-week baby can survive outside the womb, a 22½-week baby can survive outside the womb.

□ 1815

So under the supposition that we work our way back to actually a 21-week baby can survive outside the womb—and I saw data that said a 20½-week also. So the 20-week is marked down there to try to stretch the definition of viability just about as far as they could bring themselves to do so, but they fear challenging the Supreme Court.

They are accepting of the Supreme Court decisions, those decisions from 45 years ago, 60 million abortions ago, and they are stuck in the idea that we can't challenge the Supreme Court.

Well, how could you not challenge the Supreme Court of the United States? This is the United States Congress. Some teach it has three coequal branches of government. I said earlier it is not three. There is a superior branch of government. There is a branch of government that is the weakest of the three, defined by our Founding Fathers, to be the judicial branch of government.

And we have a decision that is called *Marbury v. Madison* that came in in the first years of the 19th century, where the Supreme Court asserted their authority to define the Constitution and tell us all what it means, and we have acquiesced to that, decision after decision, for over 200 years.

And how can it be that a Supreme Court of lifetime appointees that conceivably could all be stacked under the terms of one President and live for decades after that and stay on the Court after that that could invoke all kinds of havoc on God-given liberties, and we would have no way to appeal a decision of the Supreme Court? We just have to accept those decisions as if they are the final authority? They are God to us?

I say we respect them. I think we respect their jurisprudence. I think we carefully observe what they do. And I think that most of the decisions they make are soundly founded, but some of them are completely wrong.

And they have reversed themselves in their own history, which is utter proof that they are completely wrong.

I would point out that the clearest one is the *Kelo* decision. They haven't reversed it yet, but Justice Scalia said he expected it would be reversed at some time.

But this was the confiscation of property. The Fifth Amendment of the Constitution guarantees property rights. It says: "Nor shall private property be taken for public use without just compensation."

The Supreme Court of the United States, in the *Kelo* decision, in about 2005, struck those words "for public use" from the Fifth Amendment of the Constitution.

Now, how can we tolerate a decision like that and accept it because it

comes from the Supreme Court? And does it live forever that way?

Does the *Obergefell* decision, that legal, rational thought out of nowhere, they impose same-sex marriage on every union in America? How is it that a decision made by either the Iowa Supreme Court or the U.S. Supreme Court has taken away the rights of my sons to be married as husbands and wives? Why does the Supreme Court get to visit with that edict?

Because we respect them, we accept those decisions, we don't question them, because the culture is what the culture is.

Well, the culture has got to change, and we have got to change our way of looking at this issue of abortion. We cannot sit around and twiddle our thumbs or wait until the Supreme Court is configured differently.

But we can do this: we can anticipate it will be configured differently. We can call upon the Supreme Court to reverse their previous decisions. This idea of *stare decisis*, the concept that once decided, a subsequent court has to accept the decision made by their predecessors, this Congress can't do that. Well, we can. We don't. We say: No Congress can bind a subsequent Congress. No Congress can say: You shall appropriate X dollars going into the future and have that be irreversible.

All decisions made by our predecessors in previous Congresses and signed by any previous President can be reversed by the United States Congress if it is our will to do that. We don't accept as sacrosanct a decision made by a previous Congress, and neither should we accept a decision as sacrosanct made by a previous Supreme Court. They should all be open to question.

Yes, we should respect their judgment, their jurisprudence, but we can't allow ourselves to be bound by those decisions, even if we have to go all the way back to challenge *Marbury* at some point.

But we won't have to do that, Madam Speaker, because I believe the next appointment to the Supreme Court brings a strict constructionist, an originalist, to the Court, as promised by President Trump.

He followed through with Neil Gorsuch. I believe he will follow through with a second appointment to the Court, if given that opportunity.

We need to move Heartbeat legislation over to the desk of MITCH MCCONNELL so we can begin to apply how we are going to get it off his desk and get it to the floor of the Senate and passed and over to President Trump's desk, where he will sign the Heartbeat legislation and where the very pro-life Vice President MIKE PENCE will be standing next to him when that day happens.

All of this needs to unfold here, Madam Speaker, and the obstruction really comes from the number one pro-life organization, the largest and the oldest: National Right to Life.

So I will put up only one poster here, Madam Speaker, and this is it. National Right to Life says, and this is off

of their site, they do not oppose the Heartbeat bill.

By my utilization of the English language, I don't know the difference between "do not oppose" and "do not support."

But what we need is support, not this intransigence that is going on, especially when the leadership in this House has essentially given the National Right to Life and two other organizations that, by the way, support the Heartbeat bill, a de facto veto that no pro-life legislation comes to the floor of the House of Representatives unless it is supported by the top three organizations in the country.

Supported by. Does not support. Why? Heartbeat matches their mission statement more closely than anything that they have supported before. And it is drafted with the anticipation that we would get it before the next appointment to the Supreme Court, not this one. And they fear that somehow we are going to lose some ground if we go to the Court before the Court is ready. And I say I fear for every year we fail to get the Heartbeat bill to the Supreme Court, we have on our conscience a million abortions in America taking place; a million little babies not born; a million little pairs of shoes that aren't going to be sitting there by that little bed, by that little crib; a million little children, as innocent as could be, who will never have the chance to live, to love, to learn, to laugh, to play, to fall in love, have children of their own, and raise their children with our American values in their hearts, our faith taught to them, their souls saved and demonstrated here as they lift our country up and the world up with the beliefs and the convictions that were passed to us from God through our Founding Fathers.

And we equivocate on something like this? And National Right to Life stands there, essentially in the way? Whether they do not oppose or whether they do not support, until that changes, this bill does not come to the floor, unless the Speaker changes his mind, the majority leader changes his mind, and the majority whip changes his mind.

So I call upon National Right to Life to take a look at Iowa. It may be news to them, Madam Speaker, that Heartbeat passed Iowa. It will be litigated. It will be on its way towards the Supreme Court, and maybe to the Supreme Court, but there is no acknowledgment that this has happened on the part of National Right to Life. It is as if it didn't happen for them, because they can't bring themselves to break out of the mold that they have been stuck in for years. This is a 45-year hidebound mold, and if it doesn't change, it is 1 million abortions a year, every year, until it does change.

This strategy, over the last 45 years, has cost the lives of 60 million babies. Now, I am not asserting that it could have been solved and reversed in the first year or 2, or 5, or even 10. But along the way, we have to make the

case that the Supreme Court, if they don't change, cannot be allowed to be the final word on the lives of another 60 million babies.

So, Madam Speaker, congratulations to the State of Iowa, the Iowa General Assembly, the Iowa Senate, the Iowa House of Representatives, the Iowa Governor, the leadership in the House and in the Senate, all of those who teamed up and joined hands and worked relentlessly and persistently to bring this Heartbeat bill through, and the signature of Governor Reynolds. God bless them all for the job that they did. May we match their effort and their success here in the United States Congress.

Madam Speaker, I yield back the balance of my time.

PROPOSED RESCISSIONS OF BUDGET AUTHORITY—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 115-117)

The SPEAKER pro tempore (Ms. CHENEY) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Appropriations and ordered to be printed:

To the Congress of the United States:

In accordance with section 1012 of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 683), I herewith report 38 rescissions of budget authority, totaling \$15.4 billion.

The proposed rescissions affect programs of the Departments of Agriculture, Commerce, Energy, Health and Human Services, Housing and Urban Development, Justice, Labor, State, Transportation, and the Treasury, as well as of the Corporation for National and Community Service, Environmental Protection Agency, Railroad Retirement Board, the Millennium Challenge Corporation, and the United States Agency for International Development.

The details of these rescissions are set forth in the enclosed letter from the Director of the Office of Management and Budget.

DONALD J. TRUMP.
THE WHITE HOUSE, May 8, 2018.

ADJOURNMENT

Mr. KING of Iowa. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 26 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 9, 2018, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

4744. A letter from the Secretary, Department of Defense, transmitting a letter on the

approved retirement of Vice Admiral Jan E. Tighe, United States Navy, and her advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

4745. A letter from the Under Secretary, Acquisition and Sustainment, Department of Defense, transmitting the Department's 2018 Annual Report to Congress on Chemical and Biological Warfare Defense, pursuant to 50 U.S.C. 1523(a); Public Law 103-160, Sec. 1703; (107 Stat. 1854); to the Committee on Armed Services.

4746. A letter from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting the Bureau's final rule — Federal Mortgage Disclosure Requirements Under the Truth in Lending Act (Regulation Z) [Docket No.: CFPB-2017-0018] (RIN: 3170-AA71) received May 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

4747. A letter from the Associate Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Connect America Fund [WC Docket No.: 10-90] received April 30, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

4748. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting reports concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

4749. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 18-13, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

4750. A letter from the Chief, Administrative Law Division, Central Intelligence Agency, transmitting a notification of a federal vacancy, designation of acting officer, and nomination, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

4751. A letter from the Executive Director, Consumer Product Safety Commission, transmitting the Commission's Strategic Plan for Fiscal Years 2018 through 2022, pursuant to 5 U.S.C. 306(a); Public Law 103-62, Sec. 3(a) (as amended by Public Law 111-352, Sec. 2); (124 Stat. 3866); to the Committee on Oversight and Government Reform.

4752. A letter from the Senior Vice President, Controller and Chief Accounting Officer, Federal Home Loan Bank of Boston, transmitting the 2017 management report and statement of internal controls of the Federal Home Loan Bank of Boston, pursuant to 31 U.S.C. 9106(a)(1); Public Law 97-258 (as amended by Public Law 101-576, Sec. 306(a)) (104 Stat. 2854); to the Committee on Oversight and Government Reform.

4753. A letter from the Attorney, CG-LRA, U.S. Coast Guard, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Atlantic Intracoastal Waterway and Biscayne Bay, Miami, FL [Docket No.: USCG-2017-0068] (RIN: 1625-AA09) received May 2, 2018, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Transportation and Infrastructure.